



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2142

DATE SCANNED 9-15-10

SCANNER NO. 1

SCAN OPERATOR JmJ

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2010 JUN -9 A 11: 55

June 9, 2010

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: ALEC PALMER  
ACTING STAFF DIRECTOR *AP*

FROM: PATRICIA CARMONA *PC*  
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*  
ACTING ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: *AME* NATALIYA IOFFE/RHIANNON MAGRUDER/IAN WANDNER *DM* *W*  
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 APRIL  
QUARTERLY REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2010 April Quarterly Report in accordance with 2 U.S.C. § 434(a). The April Quarterly Report was due on April 15, 2010.

The committees listed in the attached RTB Circulation Report filed the report more than five (5) days after the due date or failed to file the report. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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## Federal Election Commission

## Reason to Believe Circulation Report

2010 APRIL QUARTERLY Not Election Sensitive 04/15/2010 H\_S\_P\_UNAUTH

6/9/2010 11:49 AM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2126	C00392290	ACE CASH EXPRESS INC PAC		DAVID DODSON	\$259,403	1	4/21/2010	6	\$41,391	\$400
2127	C00161570	AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC		MICHELLE LYNN CHANDLER	\$138,070	0	4/28/2010	13	\$42,732	\$460
2128	C00406041	ARLINGTON DEMOCRATIC JOINT FEDERAL CAMPAIGN		JEAN MARSHALL CRAWFORD	\$123,749	0	5/5/2010	20	\$20,000	\$210
2129	C00204388	BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC)		IRA LAMEL	\$102,867	2	4/30/2010	15	\$4,501	\$150

2131	C00451104	BYRON LEE FOR CONGRESS	LEE, BYRON LYNN	LESTER DUNN JR.	\$297,406	1	4/23/2010	8	\$12,200	\$187
2132	C00420125	CHIANG PATEL AND YERBY INC PAC		DAVID W. HAYS	\$105,653	0	4/27/2010	12	\$18,750	\$170
2133	C00463976	DEDE FOR CONGRESS INC	SCOZZAFAVA, DIERDRE K.	DIERDRE K. SCOZZAFAVA	\$762,971	0		Not Filed	\$254,324 (est)	\$8,800
2134	C00426320	LIBERTARIAN PARTY OF INDIANA		TODD SINGER	\$132,288	0	4/29/2010	14	\$24,532	\$180

2136	C00467670	PAGLIUCA FOR SENATE	PAGLIUCA, STEVE	SANJAY SAIMI	\$16,692,696	0	5/18/2010	Not Filed	\$32,813	\$980
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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA 06/2010	RPB/Penalty
2137	C00252825	PLUMBERS UNION LOCAL 890 POLITICAL ACTION COMMITTEE		JOHN I. KANE	\$434,238	0	4/21/2010	6	\$85,723	\$1,100
2138	C00452995	POSTMA FOR CONGRESS	POSTMA, JAMES LEE	JAMES LEE POSTMA	\$167,294	0		Not Filed	\$41,824 (est)	\$990

2142	C00466771	SURGICAL INSTITUTE OF READING LP-PAC; THE		STEPHEN P. BANCO	\$119,149	0		Not Filed	\$119,149 (est)	\$4,950
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2010 )  
April Quarterly Report for the )  
Administrative Fine Program: )

ARLINGTON DEMOCRATIC JOINT ) AF# 2128  
FEDERAL CAMPAIGN, and JEAN )  
MARSHALL CRAWFORD as treasurer; )  
BI-COUNTY POLITICAL ACTION ) AF# 2129  
COMMITTEE (FKA SUFFOLK PAC), and )  
IRA LAMEL as treasurer; )  
LIBERTARIAN PARTY OF INDIANA, ) AF# 2134  
and TODD SINGER as treasurer; )  
AMERICAN PUBLIC POWER ) AF# 2127  
ASSOCIATION, PUBLIC OWNERSHIP )  
OF ELECTRIC RESOURCES PAC, and )  
CHANDLER, MICHELLE LYNN as )  
treasurer; )  
CHIANG PATEL AND YERBY INC PAC, ) AF# 2132  
and DAVID W HAYS as treasurer; )

BYRON LEE FOR CONGRESS, and ) AF# 2131  
LESTER DUNN JR as treasurer; )

ACE CASH EXPRESS INC PAC, and ) AF# 2126  
DAVID DODSON as treasurer; )  
PLUMBERS UNION LOCAL 690 ) AF# 2137  
POLITICAL ACTION COMMITTEE, and )  
KANE, JOHN I. as treasurer; )  
DEDE FOR CONGRESS INC, and ) AF# 2133  
SCOZZAFAVA, DIERDRE K as treasurer; )  
PAGLIUCA FOR SENATE, and SANJAY ) AF# 2136  
SAIMI as treasurer; )

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letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2134 Decided by a vote of 6-0 to: (1) find reason to believe that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2127 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC, and CHANDLER, MICHELLE LYNN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2132 Decided by a vote of 6-0 to: (1) find reason to believe that CHIANG PATEL AND YERBY INC PAC, and DAVID W HAYS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2131 Decided by a vote of 6-0 to: (1) find reason to believe that BYRON LEE FOR CONGRESS, and LESTER DUNN JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2126 Decided by a vote of 6-0 to: (1) find reason to believe that ACE CASH EXPRESS INC PAC, and DAVID DODSON as treasurer violated 2 U.S.C. 434(a) and

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make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2137 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMBERS UNION LOCAL 690 POLITICAL ACTION COMMITTEE, and KANE, JOHN I. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2133 Decided by a vote of 6-0 to: (1) find reason to believe that DEDE FOR CONGRESS INC, and SCOZZAFAVA, DIERDRE K as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2136 Decided by a vote of 6-0 to: (1) find reason to believe that PAGLIUCA FOR SENATE, and SANJAY SAIMI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2138 Decided by a vote of 6-0 to: (1) find reason to believe that POSTMA FOR CONGRESS, and JAMES LEE POSTMA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2142 Decided by a vote of 6-0 to: (1) find reason to believe that SURGICAL INSTITUTE OF READING LP-PAC; THE, and STEPHEN P BANCO as treasurer

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Federal Election Commission  
Certification for Administrative Fines  
June 10, 2010

Page 5

violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauarly, Hunter, McGahn II, Petersen, Wakher, and Weintraub voted affirmatively for the decision.

Attest:

June 10, 2010  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

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**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

June 11, 2010

Stephen P. Banco, in official capacity as Treasurer  
The Surgical Institute of Reading LP-PAC  
2752 Century Blvd.  
Wyomissing, PA 19610

C00466771  
AF#: 2142

Dear Mr. Banco:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period through March 31, 2010, shall be filed no later than April 15, 2010. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On June 10, 2010, the FEC found that there is reason to believe ("RTB") that The Surgical Institute of Reading LP-PAC and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before April 15, 2010. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$4,950. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$4,950 is due within forty (40) days of the finding, or by July 20, 2010, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$119,149  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your

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committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or July 20, 2010. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that The Surgical Institute of Reading LP-PAC and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 1701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

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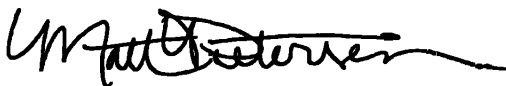
**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Rhiamon Magruder in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen  
Chairman

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$4,950 for the 2010 April Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by July 20, 2010. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

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FOR: The Surgical Institute of Reading LP-PAC

FEC ID#: C00466771

AF#: 2142

PAYMENT DUE DATE: July 20, 2010

PAYMENT AMOUNT DUE: \$4,950

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2010 JUL 27 A 9 41

July 26, 2010

**SENSITIVE**

**MEMORANDUM**

TO: THE COMMISSION

THROUGH: ALEC PALMER *AP*  
ACTING STAFF DIRECTOR

FROM: PATRICIA CARMONA *PC*  
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: *NUE* NATALIYA IOFFE/RHIANNON MAGRUDER/IAN WANDNER *PM* *iw*  
COMPLIANCE BRANCH

SUBJECT: ADMINISTRATIVE FINE PROGRAM – FINAL DETERMINATION  
RECOMMENDATION FOR THE 2010 APRIL QUARTERLY REPORT

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2010 April Quarterly Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least sixty (60) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, Dede for Congress Inc. (AF 2133) disclosed a level of activity after the RTB finding which would result in a lower civil money penalty. The committee disclosed total receipts and disbursements of \$1,629 (previously estimated to be \$254,324), thus the fine would be lowered from \$8,800 to \$250.

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The Surgical Institute of Reading LP-PAC (AF 2142) filed the 2010 April Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$119,149), which would result in no civil money penalty (previously estimated to be \$4,950).

**RAD Recommendation**

- (1) Make final determination that the political committees and their treasurers listed on the attached reports violated 2 U.S.C. § 434(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

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Federal Election Commission  
FD Circulation Report Fine Paid  
2010 APRIL QUARTERLY Not Election Sensitive 04/15/2010 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2126	ACE CASH EXPRESS INC PAC		C00392230	DAVID DODSON	04/21/2010	6	\$41,391	1	05/10/2010	\$400	\$400	07/07/2010	\$400
2127	AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC		C00161570	MICHELLE LYNN CHANDLER	04/28/2010	13	\$42,732	0	05/10/2010	\$460	\$460	07/20/2010	\$460
2128	ARLINGTON DEMOCRATIC JOINT FEDERAL CAMPAIGN		C00408041	JEAN MARSHALL CRAWFORD	05/05/2010	20	\$20,000	0	05/10/2010	\$210	\$210	07/20/2010	\$210
2129	BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC)		C00204388	IRA LAMEL	04/30/2010	15	\$4,501	2	05/10/2010	\$150	\$150	07/21/2010	\$150
2131	BYRON LEE FOR CONGRESS	LEE, BYRON LYNN	C00451104	LESTER DUNN, JR.	04/23/2010	8	\$12,200	1	05/10/2010	\$187	\$187	07/13/2010	\$187
2132	CHIANG PATEL AND YERBY INC PAC		C00420495	DAVID W. HAYS	04/27/2010	12	\$18,750	0	05/10/2010	\$170	\$170	08/28/2010	\$170
2134	LIBERTARIAN PARTY OF INDIANA		C00428320	TODD SINGER	04/28/2010	14	\$24,532	0	05/10/2010	\$180	\$180	08/09/2010	\$180
2136	PAGLIUCA FOR SENATE	PAGLIUCA, STEVE	C00467670	SANJAY SAMI	05/18/2010	Not Filed	\$32,813	0	05/10/2010	\$990	\$990	07/07/2010	\$990
2137	PLUMBERS UNION LOCAL 690 POLITICAL ACTION COMMITTEE		C00252825	JOHN I. KANE	04/21/2010	6	\$85,723	0	05/10/2010	\$1,100	\$1,100	05/23/2010	\$1,100
2138	POSTMA FOR CONGRESS	POSTMA, JAMES	C00452995	JAMES LEE POSTMA	06/22/2010	Not Filed	\$39,339	0	05/10/2010	\$990	\$990	07/20/2010	\$990

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Federal Election Commission  
FD Circulation Report Fine Not Paid  
2010 APRIL QUARTERLY Not Election Sensitive 04/15/2010 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
2133	DEDE FOR CONGRESS INC	SCOZZAFAVA, DIERDRE K.	C00463976	DIERDRE K. SCOZZAFAVA		Not Filed	\$1,829 (est)	0	08/10/2010	\$8,800	47	\$250

2142	SURGICAL INSTITUTE OF READING LP-PAC; THE		C00466771	STEPHEN P. BANCO	08/18/2010	Not Filed	\$0	0	08/10/2010	\$4,950	47	\$0
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Administrative Fine Program - Final )  
Determination Recommendation for the )  
2010 April Quarterly Report: )  
ACE CASH EXPRESS INC PAC, and ) AF# 2126  
DAVID DODSON as treasurer; )  
AMERICAN PUBLIC POWER ) AF# 2127  
ASSOCIATION, PUBLIC OWNERSHIP )  
OF ELECTRIC RESOURCES PAC, and )  
CHANDLER, MICHELLE LYNN as )  
treasurer; )  
ARLINGTON DEMOCRATIC JOINT ) AF# 2128  
FEDERAL CAMPAIGN, and JEAN )  
MARSHALL CRAWFORD as treasurer; )  
BI-COUNTY POLITICAL ACTION ) AF# 2129  
COMMITTEE (FKA SUFFOLK-PAC), and )  
IRA LAMEL as treasurer; )  
BYRON LEE FOR CONGRESS, and ) AF# 2131  
LESTER DUNN JR as treasurer; )  
CHIANG PATEL AND YERBY INC PAC, ) AF# 2132  
and DAVID W HAYS as treasurer; )  
DEDE FOR CONGRESS INC, and ) AF# 2133  
SCOZZAFAVA, DIERDRE K us treasurer; )  
LIBERTARIAN PARTY OF INDIANA, ) AF# 2134  
and TODD SINGER as treasurer; )  
PAGLIUCA FOR SENATE, and SANJAY ) AF# 2136  
SAIMI as treasurer; )  
PLUMBERS UNION LOCAL 690 ) AF# 2137  
POLITICAL ACTION COMMITTEE, and )  
KANE, JOHN I. as treasurer; )  
POSTMA FOR CONGRESS, and JAMES ) AF# 2138  
LEE POSTMA as treasurer; )

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SURGICAL INSTITUTE OF READING      AF# 2142  
LP-PAC; THE, and STEPHEN P BANCO  
as treasurer;

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on July 28, 2010 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2010 April Quarterly Report as recommended in the Reports Analysis Division's Memorandum dated July 26, 2010, on the following committees:

AF#2126      Decided by a vote of 6-0 to: (1) make a final determination that ACE CASH EXPRESS INC PAC, and DAVID DODSON as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2127      Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC, and CHANDLER, MICHELLE LYNN as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2128      Decided by a vote of 6-0 to: (1) make a final determination that ARLINGTON DEMOCRATIC JOINT FEDERAL CAMPAIGN, and JEAN MARSHALL CRAWFORD as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2129      Decided by a vote of 6-0 to: (1) make a final determination that BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC), and IRA LAMEL as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2131 Decided by a vote of 6-0 to: (1) make a final determination that BYRON LEE FOR CONGRESS, and LESTER DUNN JR. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2132 Decided by a vote of 6-0 to: (1) make a final determination that CHIANG PATEL AND YERBY INC PAC, and DAVID W HAYS as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2133 Decided by a vote of 6-0 to: (1) make a final determination that DEDE FOR CONGRESS INC, and SCOZZAFAVA, DIERDRE K as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2134 Decided by a vote of 6-0 to: (1) make a final determination that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2136 Decided by a vote of 6-0 to: (1) make a final determination that PAGLIUCA FOR SENATE, and SANJAY SAIMI as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2137 Decided by a vote of 6-0 to: (1) make a final determination that PLUMBERS UNION LOCAL 690 POLITICAL ACTION COMMITTEE, and KANE, JOHN I. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2138 Decided by a vote of 6-0 to: (1) make a final determination that POSTMA FOR CONGRESS, and JAMES LEE POSTMA as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2142 Decided by a vote of 6-0 to: (1) make a final determination that SURGICAL INSTITUTE OF READING LP-PAC; THE, and STEPHEN P BANCO as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

July 30, 2010  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

10092651712



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 3, 2010

Stephen P. Banco, in official capacity as Treasurer  
The Surgical Institute of Reading LP-PAC  
2752 Century Blvd.  
Wyomissing, PA 19610

C00466771  
AF#: 2142

Dear Mr. Banco:

On June 10, 2010, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that The Surgical Institute of Reading LP-PAC and its treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2010 April Quarterly Report. By letter dated June 11, 2010, the Commission sent notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$4,950 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. The amount of the civil money penalty has been changed to reflect the actual level of activity of the 2010 April Quarterly Report.

The FEC made a final determination on July 28, 2010 that you, in your official capacity as treasurer, and The Surgical Institute of Reading LP-PAC violated 2 U.S.C. § 434(a), assessed no civil money penalty in accordance with 11 C.F.R. § 111.43, and voted to close the file.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Matthew S. Petersen".

Matthew S. Petersen  
Chairman

10092651713



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2142

DATE SCANNED 9-15-10

SCANNER NO. 1

SCAN OPERATOR Jmp

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